

HIGHLANDS REGIONAL



MASTER PLAN  
2008

# Highlands Council Meeting

September 23, 2010



# Plan Conformance Update

# Plan Conformance Update

Plan Conformance Petitions: To date, 61 Petitions for Plan Conformance have been submitted - 57 Petitions from municipalities and 5 from counties. 45 Petitions (including 2 counties) have been deemed Administratively Complete and posted to the Highlands Council website.

- Council staff has reviewed 32 full Petitions, thus far, and prepared Draft Consistency Review and Recommendations Reports (“Draft Consistency Reports”) for each. Of these, 12 have been completed and sent to the petitioning municipality or county (as listed below), while the remainder are under internal review.

Tewksbury Twp

Clinton Town

Mount Olive Twp

Mahwah Twp

Bethlehem Twp

Glen Gardner Borough

Rockaway Twp

Chester Twp

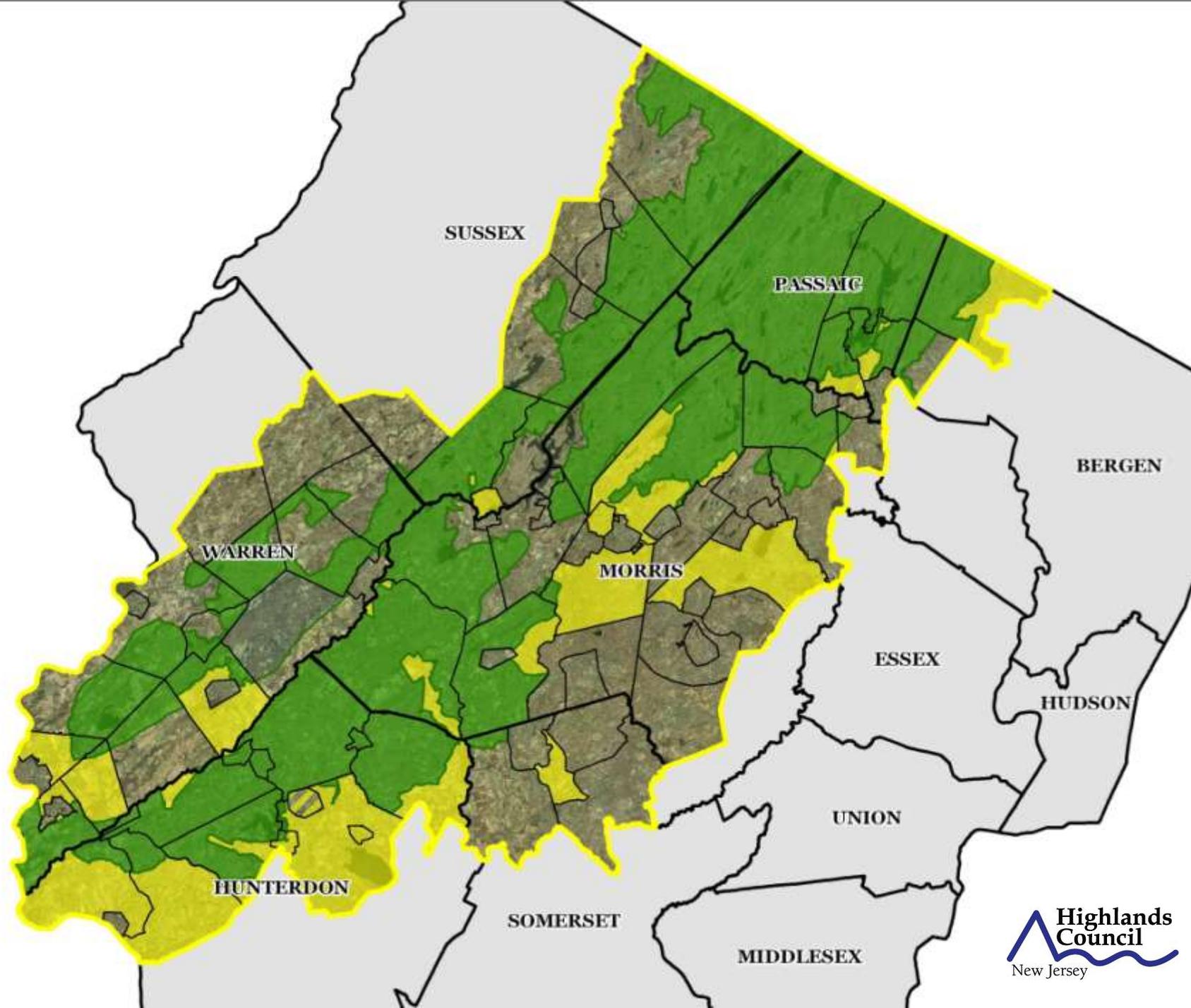
Califon Borough

Lebanon Borough

Byram Twp

Passaic County

- The public can follow the Plan Conformance process through:  
[http://www.highlands.state.nj.us/njhighlands/planconformance/pc\\_tracking\\_sheet.pdf](http://www.highlands.state.nj.us/njhighlands/planconformance/pc_tracking_sheet.pdf)



# Plan Conformance Update

Plan Conformance Grant Program: Following are the average amounts requested for reimbursement by municipalities that are participating in Plan Conformance grant activities. On average, reimbursement requests to date are within the base amounts established by the Highlands Council.

<u>Towns</u>	<u>Base Amount</u>	<u>Average</u>	<u>Number</u>
Module 1	\$15,000	\$13,509	63
Module 2	\$10,000	\$ 6,351	57
Module 3	\$ 7,500	\$10,999	41
Module 4	\$ 2,000	\$ 3,476	48
Module 5	\$ 2,500	\$ 5,851	42
Module 6	\$ 5,000	\$ 3,938	39
Module 7	<u>\$ 8,000</u>	<u>\$ 6,202</u>	34
<b>Total</b>	<b>\$50,000</b>	<b>\$50,326</b>	

# Petitions for Plan Conformance

## Overview of Process for Municipalities

# Highlands Plan Conformance Process

The Highlands Act requires that municipalities and counties submit to the Council such revisions to the municipal/county master plan and development regulations and other associated regulations “as may be necessary in order to conform them with the goals, requirements, and provisions of the regional master plan. After receiving and reviewing the revisions, the council shall approve, reject, or approve with conditions the revised plan and development regulations, as it deems appropriate.”

# Petition Decision Process

- **Draft Report.** After Petition documents are posted to the Highlands Council website, Council staff review the Petition and provide the municipality a Draft Consistency Review and Recommendations Report (“Draft Report”), along with mark-ups to all supporting documents.
- **Municipal Response.** The Municipality provides its response to the Draft Report and supporting materials and Highlands Council staff work with the municipality to finalize all materials.
- **Public Comment.** The Final Draft Report is posted to the Highlands Council website along with Notice of Public Comment Period and scheduled Public Hearing Date.
- **Final Report.** At the conclusion of the Public Comment Period, Council staff prepare the Final Report for consideration by the Highlands Council, incorporating the public comment/response and any final changes to the Report or Petition materials. The Final Report is posted to the Highlands Council website.

# Highlands Council Evaluation

The Highlands Council will determine:

1. Whether the Petition for Plan Conformance conforms with the goals, requirements, and provisions of the RMP and meets the requirements for Basic Plan Conformance;
2. Whether the Highlands Implementation Plan & Schedule is reasonable to ensure that the Municipality continues to work toward Full Plan Conformance (schedule subject to availability of Plan Conformance Grant funds);
3. Whether any provisions of the RMP should be waived as inappropriate to a specific Petition;
4. Delegation of Planning Area exemption reviews;
5. Allocation of remaining funds under the existing Plan Conformance Grant; and
6. Allocation of additional funds from the FY 2011 Grant Fund.

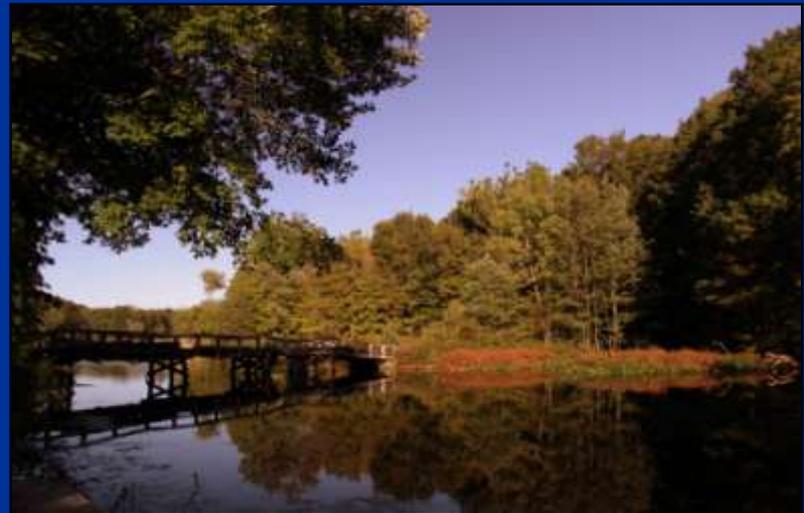
**Public Hearing**

**Byram Township**

**Petition for Plan Conformance**

# Introduction to Byram Township

## “Township of Lakes”



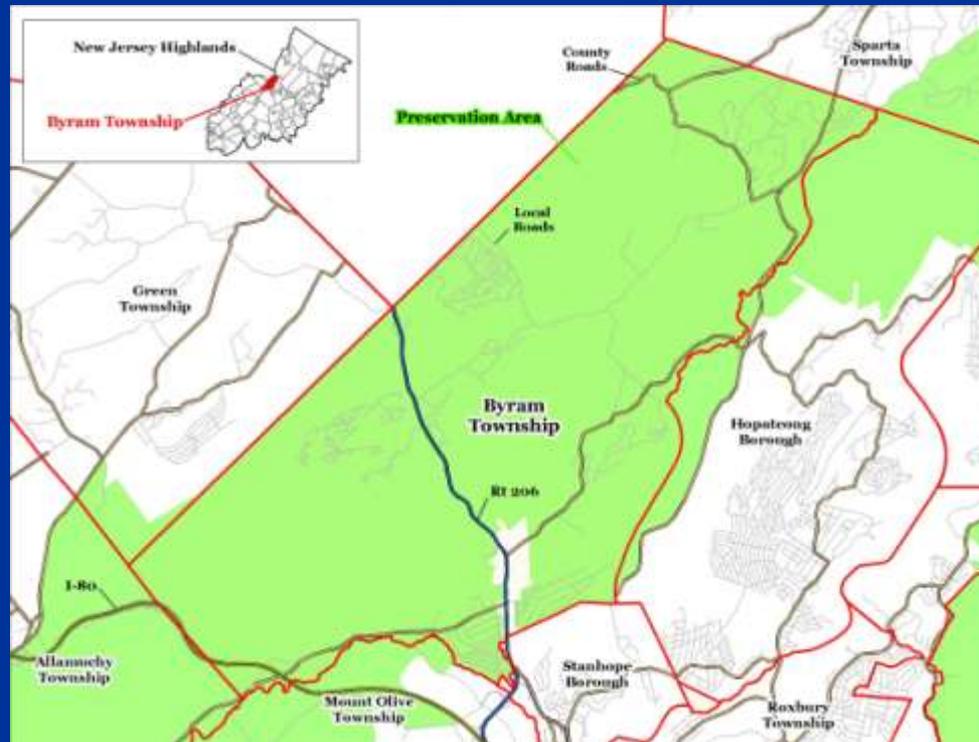
# Christopher George Hellwig

## Byram Township Planning Director



# Byram Township Location

“Byram Township, known as the ‘Township of Lakes,’ is located in northwestern New Jersey in the southeast corner of Sussex County, nestled in the heart of the New Jersey Highlands.” – Byram Township Master Plan



# Byram Township

## Background Statistics

- Established: 1798
- Population (2008): 8,465
- Land Area: 22.7 sq. mi./  
14,505 Acres
- Forested Lands: 17.2 sq. mi./  
11,000 Acres – 75%
- Preserved Lands: 6.8 sq. mi./  
4,382 Acres – 30%
- Lakes & Ponds (25):  
1.4 sq. mi./ 870 Acres – 6%



# Byram Township

## Significant Highlands Statistics

- **Preservation Area Lands: 22.3 sq. mi./ 14,272 Acres – 98.4%**
- **Planning Area Lands: 0.36 sq. mi./ 233 Acres – 1.6%**
  - **Highlands Open Water Protection : 11.6 sq. mi./7,526 Acres – 52%**
  - **Lake Management Areas: 6.7 sq. mi./ 4,300 Acres – 30%**
  - **Severe Steep Slope Areas: 9 sq. mi./ 5,760 Acres – 40%**
  - **Forest Resource Areas: 22.2 sq. mi./ 14,236 Acres – 98%**
  - **Special Environmental Zone: 8.1 sq. mi./ 5,170 Acres – 36%**
  - **Conservation Priority Areas: 12 sq. mi./ 7,700 Acres – 53%**

# Byram Township

## Background Information

- **Largest Lakes:** Cranberry, Lackawanna, Mohawk (partly in Byram, mostly in Sparta Township), Waterloo, Kofferl, Wolf, Panther, Forest
- **Major Rivers/Streams:** Musconetcong River, Lubbers Run
- **State Park:** Allamuchy Mountain State Park (3,000+ Acres)
- **Major Historic Sites:** Waterloo Village, Morris Canal
- **Theme Park:** Wild West City



# Byram Township

## Background Statistics – Land Use

NJDEP Land Use/Land Cover (2005/2007)	Acres	Percent
Residential (Single & Multi Family)	1,822	13%
Commercial (Retail)	111	1%
Industrial & Transportation & Utilities	252	2%
Agriculture (Crops & Plantations)	104	1%
Recreational Lands (Public and Private)	245	2%
<b>Subtotal Developed Lands</b>	<b>2,534</b> <b>(3.96 sq. mi.)</b>	<b>17%</b>
Mixed Forest	9,634	67%
Shrub & Scrub	309	2%
Mixed Wetlands	977	7%
Barren Lands	126	1%
Surface Waters (Lakes, Ponds & Tributaries)	906	6%
<b>Subtotal Natural Lands (incl. Open Space)</b>	<b>11,952</b> <b>(11.7 sq. mi.)</b>	<b>83%</b>

# Byram Township

## Sampling of Township Planning Initiatives

In addition to maintaining an up-to-date Comprehensive Master Plan (including all mandatory elements and numerous optional elements), Byram has a history of proactive engagement in community planning and conservation initiatives:

- State Planning Commission Center Designation (Expired May 2010)
- Smart Growth Plan, Form-Based Code, Low Impact Development Report
- Trail & Bikeway Planning/Bicycle & Pedestrian Feasibility Study
- Lubber's Run Greenway Project (Preservation & Stream Corridor Protection Plan; Best Management Practices to Improve Water Quality)
- Preliminary Groundwater/Aquifer Assessment (Well Ordinance)
- Lakefront Redevelopment Plan (Water Quality Mgmt, Septic System Ord.)
- Forest Stewardship Plan
- Stormwater Management & Pollution Prevention Plans

New Jersey Highlands

Byram Township



County Roads

Sparta Township

Green Township

Local Roads

Hopatcong Borough

Byram Township

Rt 206

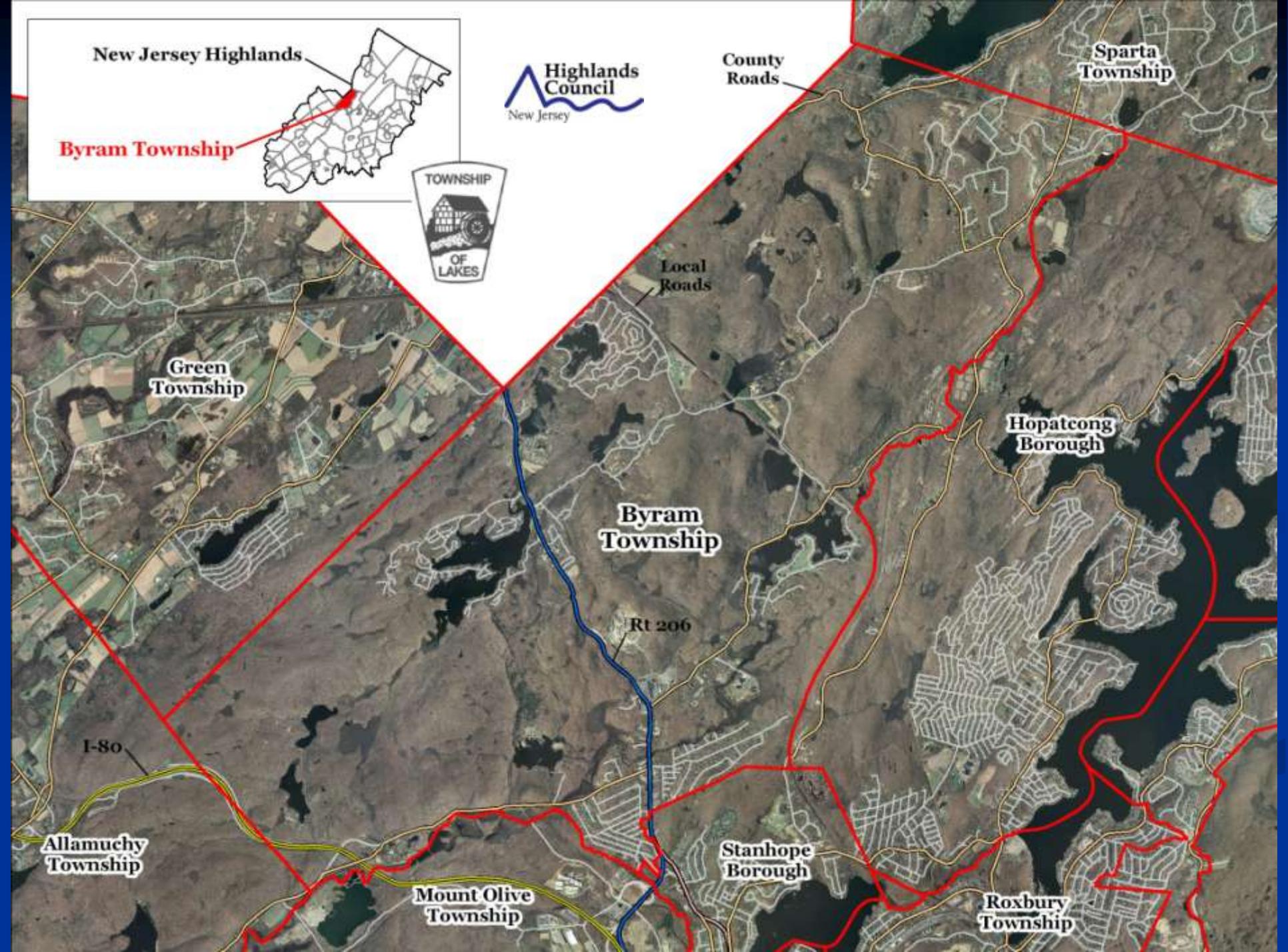
I-80

Allamuchy Township

Stanhope Borough

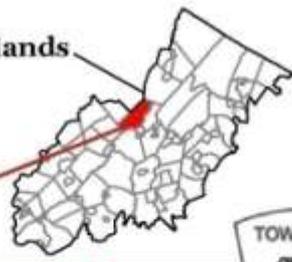
Mount Olive Township

Roxbury Township



New Jersey Highlands

Byram Township



Highlands Council  
New Jersey



Sparta Township

Green Township

Hopatcong Borough

Byram Township

**Legend**

- Municipal Boundaries
- Parcel Boundaries
- Planning Area
- Preservation Area
- Lakes Greater Than 10 Acres

**Land Use Capability Zone**

- Protection
- Existing Community

**Land Use Capability Sub-Zone**

- Existing Community Environmentally Constrained
- Lake Community

Allamuchy Township

Mount Olive Township

Stanhope Borough

New Jersey Highlands

Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

**Legend**

- Municipal Boundaries
- Parcel Boundaries
- Planning Area
- Preservation Area
- Lakes Greater Than 10 Acres
- Land Use Capability Zone**
  - Protection
  - Existing Community
- Land Use Capability Sub-Zone**
  - Existing Community Environmentally Constrained
  - Lake Community

Allamuchy Township

Mount Olive Township

Stanhope Borough

New Jersey Highlands

Byram Township



Sparta Township

Green Township

Byram Township

Hopatcong Borough

Allamuchy Township

Mount Olive Township

Stanhope Borough

**Legend**

-  Municipal Boundaries
-  Forest Resource Area
-  Lakes Greater Than 10 Acres
-  Total Forest Area
- Forest Integrity By HUC-14 Subwatershed
  -  Low
  -  High

New Jersey Highlands

Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

**Legend**

- Municipal Boundaries
- Lake Management Areas
- Lakes & Ponds
- Streams
- Wetlands
- Highlands Open Water Buffers (300ft)

Watershed Values  
By HUC-14 Subwatershed

- Low
- High

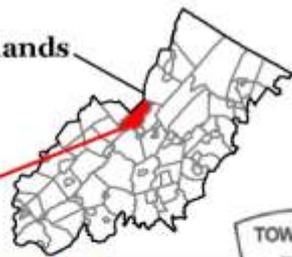
Allamuchy Township

Mount Olive Township

Stanhope Borough

New Jersey Highlands

Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

Allamuchy Township

Stanhope Borough

Mount Olive Township

**Legend**

-  Municipal Boundaries
-  Riparian Area
-  Lakes Greater Than 10 Acres
-  Highlands Open Water Buffers (300ft)
- Riparian Integrity By HUC-14 Subwatershed**
  -  *Low*
  -  *Moderate*
  -  *High*

New Jersey Highlands



Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

Allamuchy Township

Stanhope Borough

Mount Olive Township

**Legend**

-  Municipal Boundaries
-  Lakes Greater Than 10 Acres
- Step Slope Protection Area**
-  Severely Constrained
-  Moderately Constrained
-  Constrained/Limited Constrained

New Jersey Highlands



Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

Allamuchy Township

Stanhope Borough

Mount Olive Township

**Legend**

- Municipal Boundaries
- Lakes Greater Than 10 Acres
- Vernal Pools + 1000ft Buffer
- Significant Natural Areas
- Critical Wildlife Habitat

New Jersey Highlands



Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

**Legend**

- Municipal Boundaries
- Carbonate Rock Areas
- Lakes Greater Than 10 Acres
- Prime Ground Water Recharge Areas
- Wellhead Protection Areas
  - (Tier 1) 2-Year
  - (Tier 2) 5-Year
  - (Tier 3) 12-Year

Allamuchy Township

Stanhope Borough

Mount Olive Township

New Jersey Highlands



Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

Allamuchy Township

Stanhope Borough

Mount Olive Township

**Legend**

- Municipal Boundaries
- Special Environmental Zone
- Lakes Greater Than 10 Acres

New Jersey Highlands



Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

Allamuchy Township

Stanhope Borough

Mount Olive Township

**Legend**

-  Municipal Boundaries
-  Scenic Resources
-  Lakes Greater Than 10 Acres
-  Historic Properties
-  New Jersey Historic Districts

New Jersey Highlands



Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

**Legend**

- Municipal Boundaries
- Existing Area Served for:
  - Public Community Water Systems
  - Highlands Domestic Sewerage Facilities
  - Highlands Domestic Sewerage Facilities and Public Community Water Systems
- Net Water Availability By HUC14 Subwatershed Million Gallons Per Day (MGD)
  - 0.05 - 0.09
  - 0.00 - 0.04
  - 0.09 - -0.01
  - 0.99 - -0.10
- Lakes Greater Than 10 Acres

Allamuchy Township

Mount Olive Township

Stanhope Borough

New Jersey Highlands



Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

Allamuchy Township

Stanhope Borough

Mount Olive Township

**Legend**

- Municipal Boundaries
- Conservation Priority Areas
  - High
  - Preserved Lands
  - Lakes Greater Than 10 Acres

New Jersey Highlands



Byram Township



Sparta Township

Green Township

Hopatcong Borough

Byram Township

Allamuchy Township

Stanhope Borough

Mount Olive Township

**Legend**

- Municipal Boundaries
- Conservation Priority Areas
- Moderate*
- Preserved Lands
- Lakes Greater Than 10 Acres

# Byram Township

Sussex County, New Jersey



## PETITION FOR PLAN CONFORMANCE ADMINISTRATIVE RECORD

12/08/09	Petition for Plan Conformance Submitted
2/4/10	Petition Deemed Administratively Complete
2/14/10	Petition Posted to Highlands Council Website
5/28/10	Draft Consistency Report Sent to Municipality
9/1/10	Final Draft Report Posted to Highlands Council Website
9/16/10	End of Public Comment Period (Start 9/2/10)
9/17/10	Final Report Posted to Highlands Council Website
9/23/10	Highlands Council Public Hearing

# Byram Township

## Petition for Plan Conformance

### Required Module Submittals:

1. Current Municipal Conditions & Build-Out Analysis
2. Land Use and Resource Capacity Analysis
3. Housing Element & Fair Share Plan
4. Environmental Resource Inventory
5. Master Plan Highlands Element
6. Highlands Area Land Use Ordinance
7. Petitioning Resolution, Municipal Self-Assessment, Highlands Implementation Plan & Schedule

### Optional Submittal:

- ❖ Request for Highlands Village Center Designation

# Highlands Municipal Build-Out Report – Modules 1 & 2

- The Report uses a Limiting Factor Analysis to examine Land-Based, Resource-Based, and Utility-Based Capacities.
- The Highlands Municipal Build-Out Report for Byram Township was completed by the Highlands Council in collaboration with the municipality prior to a finding of Administrative Completeness of the Petition.
- The Report is dated July 2009 and was posted to the Highlands Council website on September 22, 2009.
- Staff RMP Consistency Finding: CONSISTENT

# Housing Plan – Module 3

- Summary of Byram Township Fair Share Obligation
  - Rehabilitation Share: 24 Units
  - Prior Round Obligation: 33 Units
  - Growth Share Obligation: 12 Units
- Summary of Byram Township Fair Share Plan
  - Municipal Rehabilitation Program: 2-4 Units/Year, 10-Year Period
  - Prior Round Site: Village Center Mixed-Use Inclusionary, Anticipated Credits – 35
  - New Project Sites: Municipally-owned vacant parcels, single-family for sale units; Anticipated Credits – 8
  - New Project Sites: Municipally-owned vacant parcel, 4-bedroom group home; Anticipated Credits – 5
- Staff RMP Consistency Finding: CONSISTENT

# Environmental Resource Inventory

## Module 4

- Describes & Illustrates Highlands Resources, Resource Areas, and Special Protection Areas in the Municipality
- Byram Township Submittal Based on Highlands Council Model Environmental Resource Inventory
  - ❖ All Applicable Narrative Portions Retained
  - ❖ All Applicable Exhibits Included
- Staff RMP Consistency Finding: CONSISTENT

# Master Plan Highlands Element

## Module 5

The Highlands Element represents the first step toward effectuating the RMP at the municipal level. The Highlands Element:

- Establishes Municipal Highlands Area, Highlands Zones & Sub-Zones, Highlands Resource Areas, Special Protection Areas
- Sets forth Goals, Policies, Objectives forming the basis for municipal Land Use Regulation, with respect to each
- Initiates/Supplements Additional Municipal Master Plan Elements toward comprehensive planning (e.g., Land Preservation/Stewardship Plan, Utility Services Plan)

# Master Plan Highlands Element

## Module 5

- Byram Township Submittal Based on Highlands Council Model
  - ❖ All Applicable Narrative Portions Retained
  - ❖ All Applicable Exhibits Provided
- Special Note: Byram Township to provide revisions for Highlands Council approval to incorporate all relevant language establishing Byram's Highlands Village Center (pending approval), and providing the basis for regulatory provisions that will govern it.
- Staff RMP Consistency Finding: CONSISTENT

# Highlands Area Land Use Ordinance

## Module 6

The Highlands Area Land Use Ordinance represents the second step toward effectuating the RMP at the municipal level. The Highlands Land Use Ordinance:

- Establishes Municipal Highlands Areas, Zones & Sub-Zones, Resource Areas, and Special Protection Areas as Overlays to Municipal Zoning
- Sets forth RMP-consistent regulations with respect to each of the above, and to Highlands Resources generally
- Provides administrative and procedural requirements essential to municipal implementation and enforcement

# Highlands Area Land Use Ordinance

## Module 6

- Byram Township Submittal Based on Highlands Council Model
  - ❖ All Applicable Narrative Portions Retained
  - ❖ All Applicable Exhibits Provided – Note: To be replaced with Updated Highlands Council Parcel-Based Exhibits
- Special Note: Byram Township to provide revisions for Highlands Council approval to incorporate regulatory provisions applicable to a Highlands Village Center, consistent with the details of (pending) Highlands Council approval of request for Center designation.
- Staff RMP Consistency Finding: CONSISTENT

# Municipal Petition for Plan Conformance

## Module 7

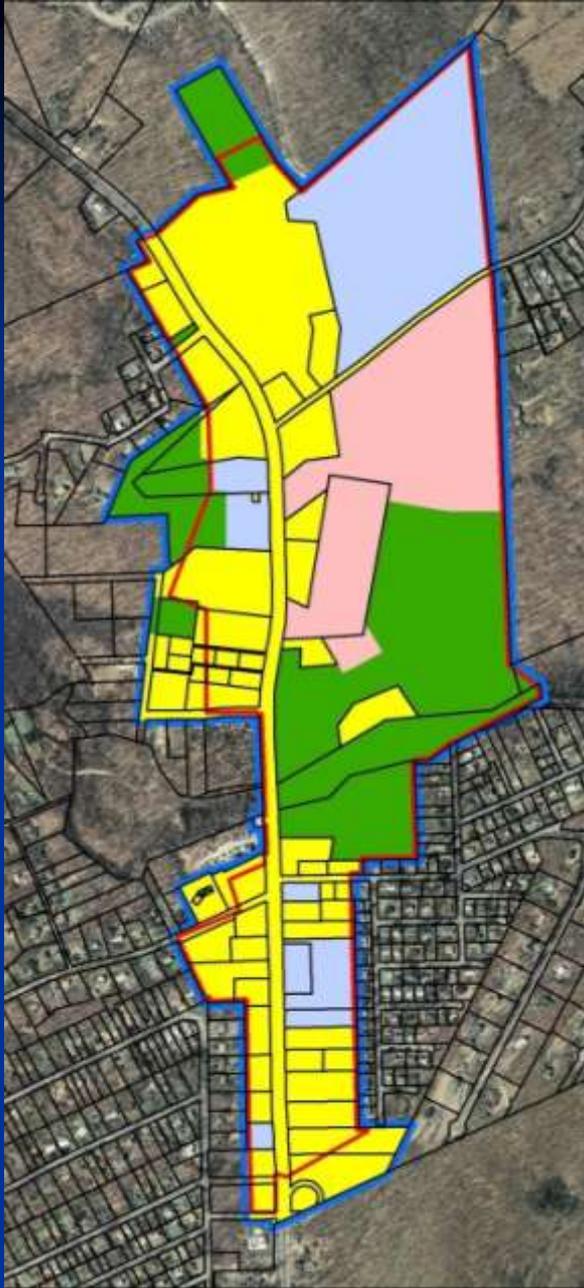
- Consists of all Petition Supporting Materials: Petitioning Resolution/Ordinance, Self-Assessment Report, List of Current Planning Documents, Highlands Implementation Plan & Schedule
- Byram Submittals Based on Highlands Council Models
  - ❖ Resolutions (#1-Preservation Area, #2-Planning Area) Complete
  - ❖ Self-Assessment Report Accurate & Complete
  - ❖ Requested Planning Documents Submitted to Highlands Council
  - ❖ Highlands Implementation Plan & Schedule revised to incorporate all applicable steps re Highlands Village Center
- Staff RMP Consistency Finding: CONSISTENT

# Highlands Village Center Designation

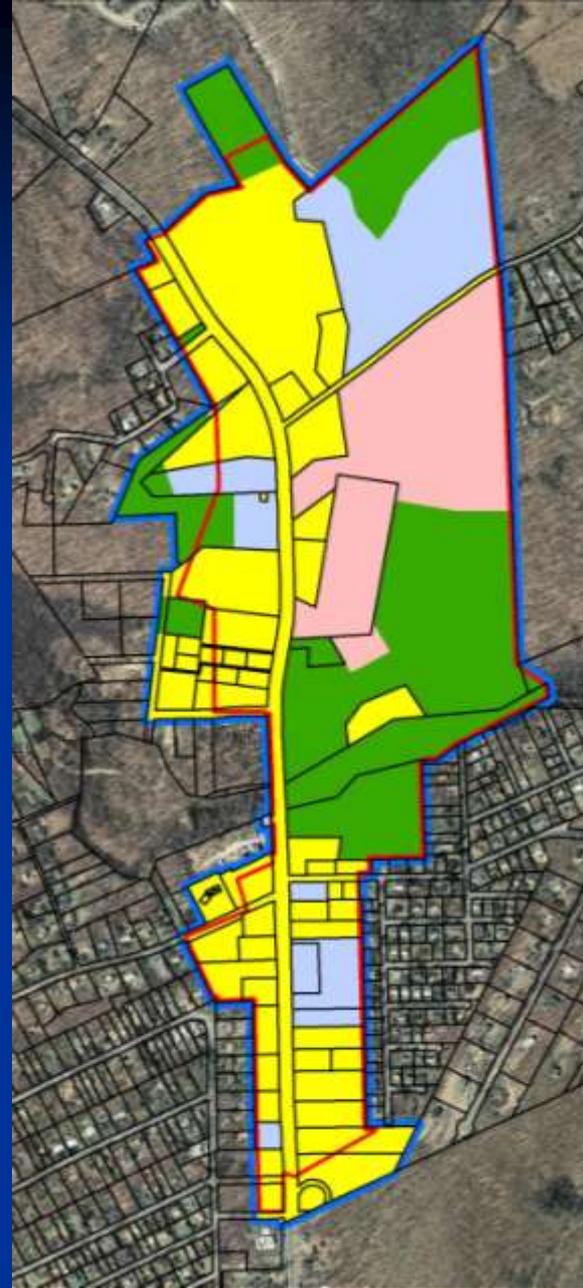
## Byram Township Supplemental Petition Request

The Township of Byram proposes designation of its Planning Area lands (1.4% of the municipality) as a Highlands Center. As discussed in detail during the Highlands Council's April 2010 meeting, the 197-acre Byram Township Highlands Center would consist of the following (acreages, approximate):

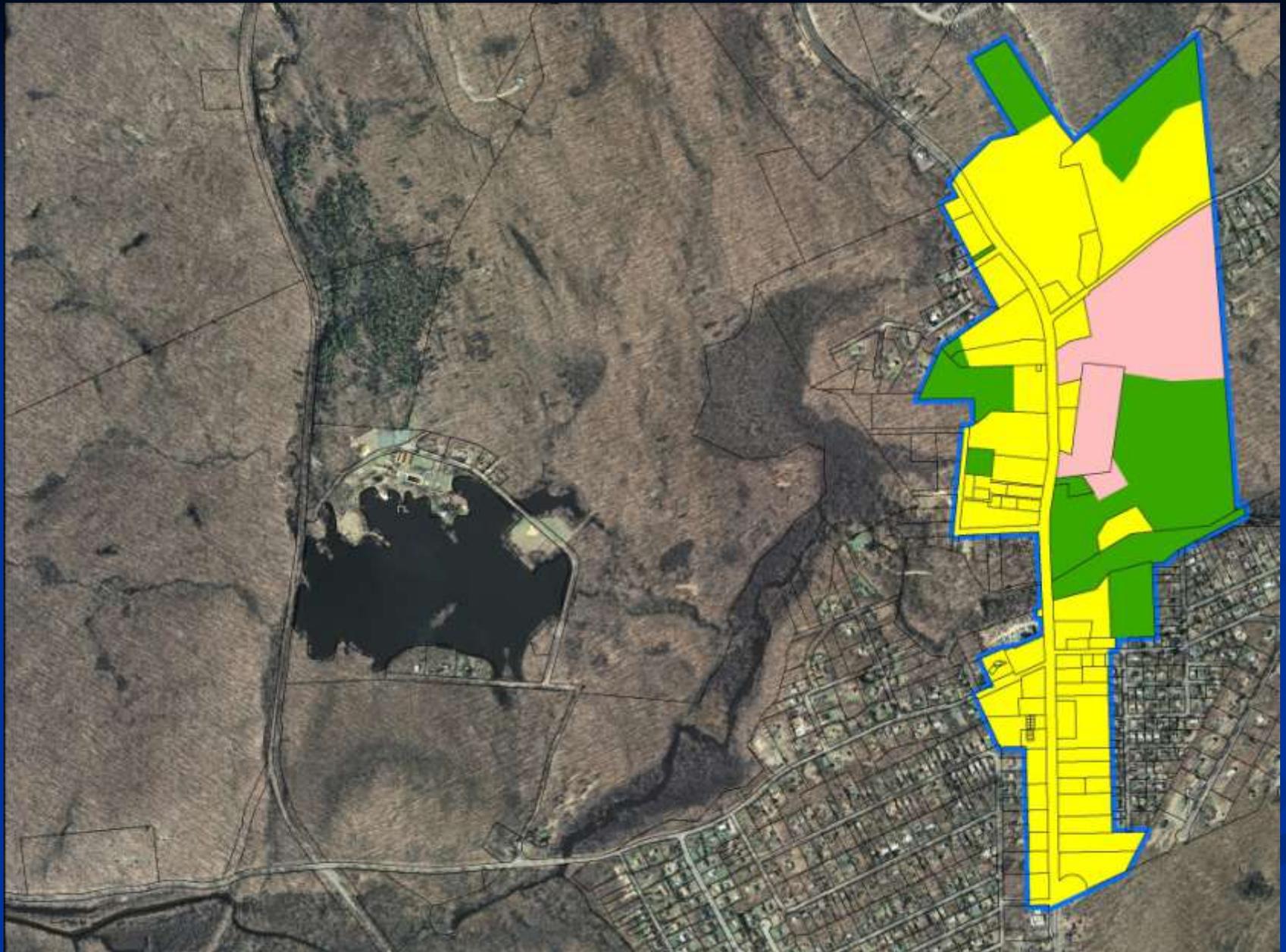
- Center Development/Redevelopment: 141.4 acres
  - Includes the Village Center : 31.1 acres
- Highlands Environmental Resource Sites: 55.6 acres



**Original Proposal**



**Draft Proposal**



Current Proposal

# Byram Village Center

## Major Proposed Features

Route 206 Streetscape Improvement Program – Street lighting, street tree plantings, sidewalks, pedestrian crosswalks



# Byram Village Center

## Major Proposed Features

Architectural Design Standards – Applicable to all Development & Redevelopment Projects; Architectural Review Board

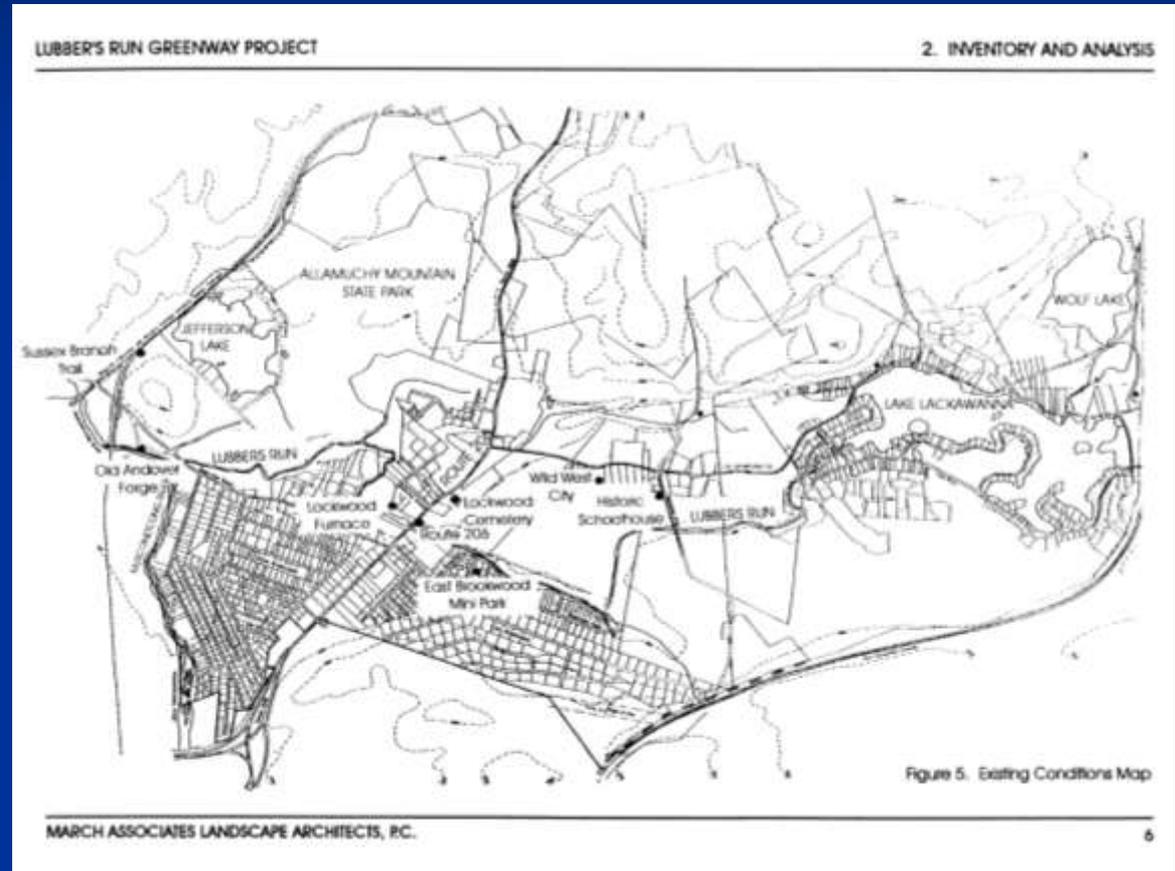


# Byram Village Center

## Major Proposed Features

**Lubbers Run  
Greenway Project** –  
Protection & Stream  
Corridor Restoration

**Walking/Bicycle  
Trail Component** –  
Linking Historic  
Sites/Districts, Lubbers  
Run Greenway,  
Community Facilities,  
and Village Center Retail  
& Residential Areas



# Byram Village Center

## Major Proposed Features

Village Center Mixed-Use Core Development Area



# Byram Village Center

## Major Proposed Features

### Village Center Mixed-Use Core Development Area

- Village Green & Civic Spaces, Commercial Space, Apartments over Retail, Townhomes, 2- to 4-Family Homes, 1-Family Homes
- 26 Low/Moderate-Income Units (Mix of Rental and For Sale) Deed-Restricted to Address Affordable Housing Obligation
- Sewer Service by Musconetcong Sewerage Authority (Contractual Agreement for 40,000 gallons per day)
- Development to Comply with Form-Based Code, Architectural Design Standards, and Low Impact Development Guidelines (Goal: LEED Certification)

# Byram Village Center

## Major Proposed Features



The compact design of the Core Development Area allows for preservation of 25-27 contiguous acres of: **High Integrity Forest, Prime Ground Water Recharge Area, and Critical Habitat.**

All immediately adjacent to:

- Lubbers Run (on the south) and surrounding **Highlands Open Water Buffers**; and
- **Special Environmental Zone** lands bordering on the east.

# Byram Village Center

## Highlands Council/Byram Township Collaboration

- In recognition of the May 2010 expiration of Byram's State Plan Center designation, 10 years of sound local planning and community support, sewer contracts and COAH needs, the Highlands Center designation request was evaluated in support of full Plan Conformance for the municipality
- A review of Highlands resources, surrounding land uses, supporting documents and discussions with the municipal officials and its professionals resulted in a consensus based plan that supports resource protection, is within sewer allocations and meets local housing, civic and economic development needs
- The process resulted in a conceptual Form Based Code Zone map for the Village entire Planning Area land was studied and shown as developable/redevelopable and resource protection areas

# Byram Village Center

## Highlands Council/Byram Township Collaboration

- Site concepts included the recognition of the surrounding developed areas, accessibility to supporting transportation infrastructure, the approved DOT project area, steep slope areas, Highlands Open Water buffers, Lubbers Run, prime ground water recharge areas, and critical habitat.
- The conceptual site layouts were designed to maximize contiguous areas of Highlands resources and ground water recharge, protect Lubbers Run and Highlands Open Water buffers and minimize disturbance of severe slope areas.

# Byram Township Highlands Center (2010)

 Highlands Center

 Parcel Boundaries

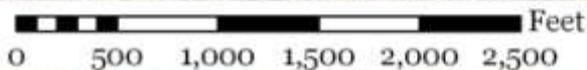
 Center Development / Redevelopment Areas (110.3 acres)

 Byram Village Center (31.1 acres)

 Highlands Environmental Resource Sites (55.6 acres)



**Two-Family Residential: 8 units**  
**One-Family Residential: 30 units**  
**Townhouse Residential: 24 units**  
**Apartments: 68 units**  
**Commercial/Retail: 90,550 sq. ft.**  
**Civic Uses: 39,640 sq. ft.**  
**Park: 2.67 acres**

 Feet

# Petition Disposition

## Byram Township Petition for Plan Conformance

Staff Recommendation: **APPROVE WITH CONDITIONS**

### PROPOSED CONDITIONS

- Adoption of Ordinance Petitioning for Planning Area
- Adoption of Interim Checklist Ordinance – Development Applications referred to Highlands Council for RMP Consistency Determination prior to local determination of completeness pending adoption of all Master Plan/Ordinance provisions
- Adoption of Completed, Final Environmental Resource Inventory
- Development, Highlands Council Approval, & Adoption of Final Highlands Element & Land Use Ordinance

# Petition Disposition

## Byram Township Petition for Plan Conformance

### CONDITIONS (Continued)

- Adoption of Updated Zoning Map
- Compliance with Fair Housing Act (COAH Certification)
- Update/Development & Implementation of:
  - Wastewater Management Plan (NJDEP Requirement)
  - Water Use & Conservation Management Plan – Phase I Village Center; Phase II Municipal-Wide
  - Stream Corridor Protection & Restoration Plan
  - Forest Stewardship Plan, Lake Restoration Management Plan
  - Habitat Conservation & Management Plan
  - Land Preservation & Stewardship Program
  - Septic System Management/Maintenance Plan

HIGHLANDS REGIONAL



MASTER PLAN  
2008

# Highlands Council Meeting

September 23, 2010

